

<p><b>Name of Policy:</b> Exclusion Policy – Expulsion and Fixed Term Exclusion</p>	<p><b>Version/Last Review Date:</b> June 2022 (V4)</p>
<p><b>Statutory documents linked to policy:</b> <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/20170831_Exclusion_Stat_guidance_Web_version.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/20170831_Exclusion_Stat_guidance_Web_version.pdf</a></p> <p><b>It would be helpful to read this guidance alongside:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012</a></li> <li>• <a href="#">The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014</a></li> <li>• <a href="#">The School Discipline (England) (Coronavirus) (Pupil Exclusions and Reviews) (Amendment) Regulations 2020</a></li> </ul> <p>Published 20 June 2012</p>	<p><b>Previous review date:</b> June 2019 (V3) March 2016 (V2) April 2013 (V1)</p>
<p><b>Other Policies linked to this policy:</b> Behaviour and Discipline</p>	<p><b>Next Review Date:</b> June 2023</p>
<p><b>Governor Committee Responsible</b></p>	<p>FPP</p>

WNA Vision: All children will achieve their full potential, with holistic support, whilst enjoying and driving their own learning, gaining self-respect, self-esteem and self-belief. Our classroom extends to rich, exciting environments within the forest, the beach, the city and the community as a whole.

## Exclusion of Pupils Policy

### Background

This policy deals with the policy and practice which informs the WNA's use of exclusion (both fixed term and permanent expulsion). It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

1. The first is to ensure the safety and well-being of all members of the school community, and to maintain an appropriate education environment in which all can learn and succeed;
2. The second is to realise the aim of reducing the need to use exclusion as a sanction.

### Introduction

The decision to exclude a pupil will be taken in the following circumstances:

- (a) In response to a serious breach of the WNA's Behaviour and Discipline Policy
- (b) If allowing the pupil to remain in school would seriously harm the education or welfare of other persons or the pupil him/herself in the school.

Exclusion is an extreme sanction and is only administered by the headteacher. Exclusion, whether for a fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the WNA's Behaviour and Discipline Policy:

- Verbal abuse to staff and others Verbal abuse to pupils
- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs Misuse of other substances Theft
- Serious actual or threatened violence against another pupil or a member of staff Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.

This is not an exhaustive list and there may be other situations where the headteacher makes the judgment that exclusion is an appropriate sanction.

At times the headteacher will decide not to use the extreme sanction of an exclusion but will decide that a Pastoral Support Plan should be drawn up to try avoid the sanction of an exclusion in the future. This might be accompanied by an internal exclusion.

### **Equality**

West Newcastle Academy will not tolerate any racist, disability, homophobic or transphobic abuse or bullying. This will be reported to the local Safeguarding Services.

We work within the statutory framework to address issues around radicalisation and extremist behaviour. This is addressed through our SMSC provision, school assemblies and community links. Any concerns will be reported to the Local Safeguarding Services and and Northumbria Prevent team.

We believe that the Equality Act provides a framework to support our commitment to valuing diversity, tackling discrimination, promoting equality and fostering good relationships between people. It also ensures that we continue to tackle issues of disadvantage and underachievement of different groups.

We recognise that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

### **Exclusion Procedure**

Most exclusions are of a fixed term nature and are of short duration (usually between one and three days).

The DfE regulations allow the headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year. The headteacher and Governors may decide to make alternative provision for a pupil rather than excluding the pupil.

The Governors have established arrangements to review promptly all permanent exclusions from the school and all fixed term exclusions that would lead to a pupil being excluded for more than 15 days in a school term or missing a public examination.

The Governors have established arrangements to review fixed term exclusions which would lead to a pupil being excluded for more than five days but not more than 15 days in a school term where a parent has expressed a wish to make representations.

Following exclusion parents are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body as directed in the letter.

A return to school meeting will be held following the expiry of the fixed term exclusion and this will involve the headteacher and other staff where appropriate. During this meeting a Pastoral Support Plan will be drawn up, which will include a review date.

During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility as parents/guardians.

Records relating to exclusions will be stored confidentially.

### **Permanent Expulsion**

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.
2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:
  - Serious actual or threatened violence against another pupil or a member of staff Sexual abuse or assault ○ Supplying an illegal drugs ○ Carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act 1993) as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him".
  - Arson
  - Behaviour which poses a significant risk to the child's own safety

The school will involve the police for any relevant offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well being of the school.

### **General factors the school considers before making a decision to exclude**

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Headteacher will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the Behaviour Policy, Equal Opportunity and Race Equality Policies

- Allow the pupil to give her/his version of events
- Explore the wider context, taking into consideration how much the incident may have been provoked (for example by bullying or by racial or sexual harassment).

If the headteacher is satisfied that on the balance of probabilities the pupil did what he/she is alleged to have done, then exclusion may be the outcome.